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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA  
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6 MONTRAIL D. SMITH,  
7 Petitioner,  
8 v.  
9

Case No. 2:15-cv-00487-KJD-VCF

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME (ECF NO. 79)**

10 BRIAN E. WILLIAMS, SR., *et al.*,  
11 Respondents.  
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14 In this habeas corpus action, after a 70-day extension of time, the petitioner,  
15 Montrail D. Smith, represented by appointed counsel, was due to respond to  
16 Respondents' motion to dismiss (ECF No. 72, filed September 18, 2019) by  
17 January 27, 2020. See Order entered April 24, 2019 (ECF No. 68) (60 days for  
18 response); Order entered January 7, 2020 (ECF No. 78) (70-day extension of time).

19 On January 27, 2020, Smith filed a motion for extension of time (ECF No. 79),  
20 requesting a second extension of time, of 60 days, to March 27, 2020. Smith's counsel  
21 states that this extension of time is necessary because she wishes to await the  
22 completion of discovery in another case, which discovery may have an impact on her  
23 response to the motion to dismiss in this case. Respondents do not oppose the motion  
24 for extension of time.

25 The Court finds that Smith's motion for extension of time is made in good faith  
26 and not solely for the purpose of delay, and that there is good cause for the extension of  
27 time requested.  
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**IT IS THEREFORE ORDERED** that Petitioner's motion for extension of time (ECF No. 79) is **GRANTED**. Petitioner will have until and including **March 27, 2020**, to file his response to the motion to dismiss.

**IT IS FURTHER ORDERED** that, in all other respects, the schedule for further proceedings set forth in the order entered April 24, 2019 (ECF No. 68) will remain in effect.

DATED THIS 30 day of January, 2020.

*Ken S*

KENT J. DAWSON,  
UNITED STATES DISTRICT JUDGE